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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,672	08/21/2003	Joseph Kuo	SIPT121641	1022
26389	7590	01/05/2006	EXAMINER	
CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC			BETTS JR, ROGER D	
1420 FIFTH AVENUE			ART UNIT	
SUITE 2800			PAPER NUMBER	
SEATTLE, WA 98101-2347			1723	

DATE MAILED: 01/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/646,672	Applicant(s) KUO, JOSEPH	
	Examiner Roger D. Betts Jr.	Art Unit 1723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08/21/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08/21/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Claim Rejections - 35 USC § 103***

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

1. Claims 1 and 3 are rejected under 35 U.S.C 103 (a) as being unpatentable over Gordon (U.S. Patent No. 5,417,650) in view of Artinyan et al. (U.S. Patent No. 5,055,192). In view of Claim 1, Gordon (650) discloses a filter comprising a top plate (Fig. 4, #106) in fluid communication with an intermediate plate (Fig. 4, #66) having a central hole (Fig. 4, #87), an intermediate plate (Fig. #4, 66) having a central hole with a top and bottom annular groove surface (Fig. 5, #80 and #84), a bottom plate in fluid communication with top and intermediate plate having a central hole (Fig. 4, #36), two filter units (Fig. 4, #88 and #114) and two rotatable rotors/disks that have a central hole (Fig. 4, #110, #112) defining a chamber (Fig. 4, #58) (claim 1), wherein intermediate plates form a liquid tight seal having a central hole with a top and bottom annular groove surface (Fig. 4), a top plate in fluid communication with intermediate plate having a central hole (Fig. 4, #106 and #66), a bottom plate in fluid communication with intermediate plate having a central hole (Fig. 4, #36) (claim 3). However, Gordon (650) fails to disclose a net portion for the rotatable rotors/disks element as mentioned in claims 1 and 3. Artinyan (192) utilizes a net portion (Fig. 2, #42; Fig. 6, #80). It would have been obvious to one of ordinary skill in the art at the time of the invention to manufacture Gordon (650) rotatable rotor/disk portion in view of Artinyan (924), wherein a net portion is used to minimize flaking and damage during forward flow and distortion back-flow minimizing damage (Col. 4, 5-8)

2. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gordon (650) in view of Mathewson (U.S. Patent No. 5,263,924). Gordon (650) discloses a filter comprising a top plate (Fig. 4, #106) in fluid communication with an intermediate plate (Fig. 4, #66) having a central hole (Fig. 4, #87), an intermediate plate (Fig. 4, #66) having a central hole with a top and bottom annular groove surface/ledge (Fig. 5, #80 and #84), a bottom plate in fluid communication with top and intermediate plate having a central hole (Fig. 4, #36), two filter units (Fig. 4, #88 and #114) and two rotatable nets, (Net being defined in Merriam Webster dictionary as something resembling a net in reticulation (as of lines, fibers, or figures)) that have a central hole (Fig. 4, #110, #112) defining a chamber (Fig. 4, #58) (claim 1), wherein intermediate plates form a liquid tight seal having a central hole with a top and bottom annular groove surface (Fig. 4), a top plate in fluid communication with intermediate plate having a central hole (Fig. 4, #106 and #66), a bottom plate in fluid communication with intermediate plate having a central hole (Fig. 4, #36) (claim 3). However, Gordon (650) fails to disclose rotatable nets arranged along angularly curved lines extending from an inner periphery of corresponding one of said rotatable nets to an outer periphery of the corresponding one of said rotatable nets (claim 2), wherein rotatable nets extend from an inner periphery of corresponding one of said rotatable nets to an outer periphery of the corresponding one of said rotatable nets (claim 4). Mathewson (924) teaches a rotatable impeller (Fig. 1, #30) that can be made from any material (Col. 3, 57-62) that extends from an inner periphery of corresponding one of said rotatable nets to an outer periphery of the corresponding one of said rotatable nets arranged along angularly curved lines (claim 2), wherein rotatable nets extend from an inner periphery of corresponding one of said rotatable nets to an outer periphery of the corresponding one of said rotatable nets (claim 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to manufacture Gordon


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(650) in view of Mathewson (924), wherein the impeller rotates and has flow channels to uniformly distribute fluid flow (Col. 3, 1-10).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roger D. Betts Jr. whose telephone number is (571) 272-8153. The examiner can normally be reached on Monday-Friday from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker, can be reached on (571) 272-1151. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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